

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THEY TIEU,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	NO. 10 - 3688
	:	
SCHOOL DISTRICT OF	:	
PHILADELPHIA and ARLENE	:	
ACKERMAN,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 21st day of December, 2010, upon consideration of Motion of Defendants School District of Philadelphia and Arlene Ackerman to Dismiss Plaintiffs' Second Amended Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) (Document No. 12, filed November 23, 2010) and Plaintiff's Response to Defendants' Motion to Dismiss (Document No. 13, filed December 16, 2010), for the reasons set forth in the Memorandum dated December 21, 2010, **IT IS ORDERED** that Motion of Defendants School District of Philadelphia and Arlene Ackerman to Dismiss Plaintiffs' Second Amended Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) (Document No. 12, filed November 23, 2010) is **GRANTED**, and plaintiff's Second Amended Complaint is **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that the Clerk shall **MARK** the case **CLOSED**.

BY THE COURT:

/s/ Hon. Jan E. DuBois
JAN E. DUBOIS, J.